IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 15TH SEPTEMBER 2006 / 24TH BHADRA 1928

Bail Appl..No. 5360 of 2006

AGAINST THE ORDER DATED 20/07/2006 IN CP 194/2006 IN CMP.3632/2006 of J.M.F.C-I, KASARAGOD
CRIME NO.44/2002 OF KUMBLA EXCISE RANGE

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PETITIONER/ACCUSED

KORAGAPPA, S/O.NARAYANA,
AGED 33 YEARS, BEJJA, MEENJA,
KATAMBAR VILLAGE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE

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1. THE EXCISE INSPECTOR,
KUMBLA EXCISE RANGE.

2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5360/2006

DATED THIS THE 15TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioner was arrested on 17.7.2006 with 3.6 liters of Indian made foreign liquor on 27.12.2002 at 6.30 p.m., by the Inspector of Excise Range, Kumbla, who registered C.R.No.44/2002 under Section 55(a) of the Abkari Act. Hence this application, under Section 439 Cr.P.C.

2. I heard both sides. The prosecution submitted that there is also another case registered against the petitioner, for violating the provisions of the Abkari Act. However, as the petitioner is in judicial custody from 17.7.2006, I grant bail and release the petitioner from jail, subject to the following conditions:-

> (a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction

of the Judicial Magistrate of First Class-I, Kasaragod.

(b). The petitioner shall report before the Investigating Officer, once in a week, on every Friday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 22.9.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs